

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES A. WILSON, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 05-399-JJF
)	
STANLEY TAYLOR, et al.,)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO DISMISS/SUMMARY JUDGMENT PURSUANT TO
RULES 12 (b)(1) AND 12(b)(6) OF THE
FEDERAL RULES OF CIVIL PROCEDURE**

COME NOW, the defendants, Stanley Taylor, Rick Kearney, James Hollis, Michael DeLoy, John Stozenbach and Melvin Hennessy by and through undersigned counsel, and hereby respectfully request that this Honorable Court enter an Order, pursuant to Rules 12(b)(1), 12(b)(6) and 56(c) of the Federal Rules of Civil Procedure, dismissing with prejudice all claims against Defendants. In support of their motion to dismiss/summary judgment, Defendants have filed simultaneously herewith a memorandum of points and authorities demonstrating the requested relief.

WHEREFORE, Defendants respectfully requests that this Honorable Court enter an Order dismissing Plaintiff's claims with prejudice.

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Lisa Barchi

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DATE: April 18, 2006

Attorney for Defendants

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)	
Defendants.)	

ORDER

AND NOW, this _____ day of _____, 2006, the Motion to Dismiss filed by Defendants in the above-captioned matter having been duly considered, and any opposition thereto,

IT IS ORDERED that the Motion to Dismiss is granted and Plaintiff's Complaint is dismissed with prejudice.

The Honorable Joseph J. Farnan, Jr.
United States District Court

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2006 I electronically filed *Motion to Dismiss/Summary Judgment* with the Clerk of Court using CM/ECF. I hereby certify that on April 18, 2006 I have mailed by United States Postal Service, the document to the following non-registered participant:

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STATE OF DELAWARE
DEPARTMENT OF JUSTICE

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